

**YADKIN COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION MINUTES**  
**Monday, March 21, 2011**

The Yadkin County Board of Commissioners met in Regular Session on Monday, February 7, 2011, in the Yadkin County Human Services Building (Commissioners' Meeting Room), 217 East Willow Street, Yadkinville, NC.

**Present were:**

Chairman Kevin Austin  
Vice Chairman Frank Zachary  
Commissioner Gilbert Hemric  
Commissioner David Moxley  
Commissioner Marion Welborn

**Staff present:** Interim County Attorney, Bobby Sullivan; County Manager, Aaron Church; Assistant County Manager/Finance Officer, Lisa Hughes; and Deputy Clerk to the Board, Tanya Gentry.

**CALL TO ORDER** by Chairman Austin at 7:00pm.

**INVOCATION** led by County Manager Aaron Church.

**PLEDGE OF ALLEGIANCE** led by Sentrone Salter, a 5<sup>th</sup> Grade Yadkin Success Academy student and Lonnie Wimmer, a Forbush High School Senior student.

**ADJUSTMENTS TO/ADOPTION OF THE AGENDA**

Item #1 in the Consent Agenda section, Board Approval of a Tax Overpayment Refund, was removed from the Agenda.

**Commissioner Welborn made a motion to accept the agenda with the noted adjustments.**

**Commissioner Moxley second.**

**Vote: 5/0**

**PUBLIC COMMENTS**

- 1) Susan Moxley, of Boonville, appeared before the Board to state she rides the PART bus, Route 13, and is aware that PART is proposing to eliminate the route effective May 1, 2011. The bus drivers and the riders would like to thank the Commissioners, County Manager, and the Chamber for working to try and keep it going. She said the program was important and the number of riders was increasing but that not many people knew about it. She believes it should be marketed more.
- 2) Pam Benton, of Hamptonville, appeared before the Board to state she rides the PART bus and believes that it has not had enough time to really get going. It has been poorly advertised; most people find out about it through word-of-mouth. Riding the bus benefits people because it reduces the wear and tear on their vehicles, reduces gasoline consumption, and reduces emissions. The PART bus offers senior citizens and citizens with disabilities access to specialized health care. It offers better job opportunities to citizens. This transportation system allows our Yadkin County community to grow. She

thanked the Commissioners for the interest they have shown thus far and asked that they continue to work diligently for this transportation system.

- 3) Terry Titus, of Yadkinville, appeared before the Board to state he agreed with the PART system but he was not sure if everyone was aware that PART may ask for a \$3.00 license tag charge to help support the system. He asked, should the citizens who do not use the system be taxed to help support it? He stated we need to seriously think about the system and whether or not the buses are necessary. Before the citizens are taxed, careful consideration should be taken to see if a tax is necessary and how it should be done.

There were no further Public Comments. Chairman Austin closed the Public Comments portion at 7:12pm.

### **APPROVAL OF MINUTES**

The February 21, 2011 Closed Session Minutes were pulled out for discussion in closed session.

**Vice Chairman Zachary made a motion to approve the other sets of minutes on pages 4 through 15 of the Agenda packet. Commissioner Hemric second.**

**Vote: 5/0**

### **REPORTS/REQUESTS OF THE BOARD**

- 1) Recognize Volunteers for Dedication. Brenda Holbrook appeared before the Board to ask them to recognize USDA Commodity Distribution volunteers. The Yadkin Moose Lodge #2149 was recognized for providing the facility and volunteers. The Yadkin Valley Red Hatters were recognized for providing volunteers to pack the food and tear down boxes. David Bledsoe and Bobby Goins were recognized for being "freezer packers" and packers. Larry Holbrook was recognized for being their jack-of-all-trades and chef. Bill Lewis was recognized for being a volunteer since 1986. In 2010, volunteers distributed 128,545 pounds of food valued at \$119,234.00 to a total of 2,001 clients. They will be distributing food this month. On March 24, 2011, they will be packing the food for distribution. The food will be distributed at the Yadkin Moose Lodge #2149 on March 26, 2011.
- 2) Recognize Employees for Retirement in February and March. County Attorney Jim Graham retired in February after 34 straight years of service. Jim Graham stated he appreciated the people of Yadkin County allowing him to serve them. Sheriff's Detective Joel "Tim" Groce is a March retiree with 25 years of dedicated service.
- 3) Recognize Josh Arnder. County Manager Aaron Church thanked Josh Arnder, IT Director, for his years of service. He is leaving his Yadkin County position April 1, 2011.
- 4) Recognize Interim County Attorney Bobby Sullivan. Chairman Austin introduced the Interim County Attorney, Bobby Sullivan to those in attendance. Bobby Sullivan is with the firm Parker Poe.
- 5) Ware Bonsall Monthly Report. Mr. Ware and Tim Bost appeared before the Board. Tim Bost has over 30 years experience in law enforcement and teaches at Rowan Community College in the Criminal Justice Department. They have a seven (7) step process. The first 4 steps will deal with the make-up of the jail population and the things that affect the jail population. Ways to possibly reduce the jail population will be looked at. A projection model will be developed based on the way the jail is currently being operated. Then various alternatives can be applied to the projection model to see what possible impacts they have and what the cost might be. The first 4 steps will serve as the basis for the next series of steps. After the projected number of beds is determined, square footage projections can be made. The projections will be in 5 year increments out to approximately 2030. The existing jail facility will be looked at by engineers. They will determine if anything needs to be done to the jail facility to extend its life and what the possible uses for the building are in the future. A workshop will be held with the Board to go over the

methodology used in site selection and to identify the factors a site needs to have to be selected for the possible location of a new jail. Once Ware Bonsall knows what the Board wants in a site, potential sites will be chosen for consideration. Ware Bonsall would like to have the list of potential sites by April 18, 2011. A recommendation will be made on whether to use the current jail, expand the current jail, or to build a new jail. Operational costs, as well as capital costs for construction or renovation, will be estimated for the recommended option so we will know what the budgetary effect will be. A work session needs to be added near the end of the process for Ware Bonsall to sit down with the Commissioners and go over what it looks like their recommendation will be.

### **CONSENT AGENDA**

Item #1, Board Approval of a Tax Overpayment Refund, was removed from the Agenda. **Commissioner Hemric made a motion to approve the consent agenda with item number 1 removed.**

**Commissioner Moxley second.**

**Vote: 5.0**

- 1) Removed from the Agenda.
- 2) Reappointment for 3 year term for Brent Hunter, Kevin Long and Greg Moxley on Voluntary Ag District Board.
- 3) Reappoint Peggy Boose to the Yadkin County Nursing Home-Adult Care Home Community Advisory Committee retroactively.
- 4) Reappoint Donna Love to the Yadkin County Nursing Home-Adult Care Home Community Advisory Committee retroactively.
- 5) Appoint Dawn Holcomb Cheek to the Yadkin County Nursing Home-Adult Care Home Community Advisory Committee.
- 6) Budget Amendment to Accept State Money for E-Waste Recycling Program.
- 7) Budget Amendment to Move Salaries, Social Security, Medicare, Retirement, 401-K, and Insurance Balances to Contracted Ag Agents.
- 8) Budget Amendment to Transfer Funds Between Line Items to Avoid Overspending.
- 9) Transfer DSS System Administrator to Information Technology Department.

### **PUBLIC HEARING**

- 1) Rezone Parcel Identification Number 4855-04-7719 from the Rural Agricultural (RA) Zoning District to the Community Business (CB) Zoning District. Christopher Ong stated there was a correction to the information in the Agenda packet regarding the property that is catty-corner to the northwest part of the parcel. The Shiloh General Store was rezoned in 2003 from RA to CB but the County zoning map still showed it as RA. Christopher Ong confirmed the rezoning and the County zoning map has now been updated to show the property as CB.

The property the public hearing was called for is located on Saint Paul Church Road in Hamptonville. The petitioners Henry and Elizabeth Zehr have requested it to be rezoned from RA to CB. There is no structure on the unaddressed parcel. It is approximately 0.85 acres. The Planning Board heard the request on February 21, 2011 and unanimously approved it. Christopher Ong went over the zoning map amendment report with the Board.

Chairman Austin opened the public hearing and no one came forward to speak. Chairman Austin closed the public hearing.

**Commissioner Moxley made a motion to adopt the statement of consistency on page 49 of the Agenda packet and approve the rezoning request of Parcel ID Number 4855047719 from RA to CB. Commissioner Welborn second.**

**Vote: 5/0**

**BOARD ACTION**

- 1) Budget Amendment to Increase Disposal Transfer Fees and Tipping Fee Revenues. The revenue from Tipping Fees was higher than projected. There was an increase in waste causing an increase in revenues that also caused an increase in transfer fees. The fees charged to the public were not increased. **Vice Chairman Zachary made a motion to approve the budget amendment for the solid waste department. Commissioner Moxley second.**

**Vote: 5/0**

- 2) Resolution in Support of Route 13 – Yadkin County Express. The Board is asking PART to consider not eliminating the Yadkin County Express bus. The Chairman and Vice Chairman have met with citizens at the parking lots where the bus loads and unloads to speak with them about PART's decision. The County Manager has met with the PART director to discuss a possible interim compromise. PART knows the citizens are upset and the Board supports keeping the route running. PART has suffered a reduction in revenues and is looking at things to sustain it. Their first priority is to maximize operating efficiency and a way they are doing that is by eliminating non-performing routes. The second thing they will be doing is adjusting fares to be more in line with costs. The third thing they want to do is enact a stable revenue source and a way to do that is to have certain counties charge an additional \$3.00 license tag fee to help support the bus routes. Yadkin County has not been asked to increase the license tag fee to help support its bus route. The County Manager and the Board are trying to reach an agreement with PART. **Vice Chairman Zachary made a motion to adopt the resolution in support of Route 13 – Yadkin County Express and authorize its return to PART. Commissioner Hemric second.**

**Vote: 5/0**

See Attachment A for Resolution.

- 3) Resolution to Dissolve Northwest Piedmont Council of Governments and Distribute its Assets and Obligations. Yadkin County is a member of the Northwest Piedmont Council of Governments. The NWPCOG Board and the Piedmont Triad Council of Governments Board discussed merging into a single entity. The NWPCOG voted to dissolve the current 5-county COG and form a new 12-county COG. The Board of Commissioners approved this resolution to dissolve the Piedmont Council of Governments effective June 30, 2011 and assign its assets and obligations to a successor regional COG. **Commissioner Moxley made a motion to adopt the resolution Dissolving the Northwest Piedmont Council of Governments and Providing for Distribution of Assets and Obligations. Commissioner Welborn second.**

**Vote: 5/0**

See Attachment B for Resolution.

- 4) Resolution to Form and Become a Member in the Piedmont Triad Regional Council. The Board of Commissioners approved this resolution forming the new Piedmont Triad Regional Council and making Yadkin County a member. **Commissioner Moxley made a motion to adopt the resolution Formation and Membership in the Piedmont Triad Regional Council. Vice Chairman Zachary second.**

**Vote: 5/0**

See Attachment C for Resolution.

- 5) Appoint a Commissioner to the Interim Piedmont Triad Regional Council. Chairman Kevin Austin was appointed to the Interim Piedmont Triad Regional Council. **Commissioner Moxley made a motion to appoint Chairman Austin to the Interim Piedmont Triad Regional Council. Commissioner Hemric second.**

**Vote: 5/0**

- 6) Authorize the Refinancing of the County's Share of the 5D Project and Schedule a Public Hearing. Interim County Attorney, Bobby Sullivan, had a couple of changes to the Resolution on page 85; one was to change the second number 1 to number 2 and the other was to strike number 5 because he has not rendered an opinion yet. The savings to the County over the lifetime of the loan would be \$187,000.00. BB&T has guaranteed a 3.59% interest rate, saving approximately \$15,000.00 per year for the rest of the loan. Our current loan has a 1% prepayment penalty that will cost the County approximately \$67,000.00 but that cost is included in the savings calculation. The \$187,000.00 savings includes the closing costs, application fee, legal add costs, attorney fees, and prepayment penalty. A public hearing needs to be scheduled for the April 4 meeting. **Commissioner Welborn made a motion to adopt the resolution on page 85, changing the second item 1 to item 2 and striking item number 5, for the refinancing of the Flood and Erosion Control – Deep Creek Watershed Project. Commissioner Moxley second.**

**Vote: 5/0**

See Attachment D for Resolution.

**Commissioner Hemric made a motion to call a Public Hearing on April 4 at 9:00am for public input on the refinancing of the Flood and Erosion Control project. Commissioner Moxley second.**

**Vote: 5/0**

- 7) Authorize County Manager to go to Step 9 for Beth Sullivan. She has taken a DSS position and to keep her salary approximately the same, the County Manager would need to be authorized to go to Step 9. Without going to Step 9, she would be paid less than her current salary.

**Commissioner Welborn made a motion to authorize the County Manager to go to Step 9 for Beth Sullivan in her DSS position effective March 21, 2011. Vice Chairman Zachary second.**

**Vote: 5/0**

- 8) Provide Mandatory Ethics Training for All Yadkin County Department Heads. County Manager Church requested the Board give him permission to negotiate with the School of Government to provide two days of mandatory Ethics Training. The Board of Commissioners were required to take this training. It would provide the Department Heads with valuable information. Some training in purchasing may be done in the same two days. **Commissioner Moxley made a motion to authorize the County Manager to circumvent the contract control form and negotiate a contract with the School of Government to provide two days of mandatory ethics training for all Yadkin County Department Heads not to exceed \$2,500 and the authority to invite other counties or municipalities to participate in the training and share the cost and to authorize the County Manager to expend up to \$2,500 out of line item 1059000 51701 CONSULTING. Commissioner Hemric second.**

**Vote: 5/0**

#### **CALENDAR NOTES**

None

#### **RECESS**

8:30pm to 8:50pm

#### **MANAGER'S REPORTS/BOARD ACTION**

- 1) Additional Grant Money for HWY 21 Water Line. Jim Haynes and Lisa Hughes went back through records to find \$118,000.00 the State owes Yadkin County in reimbursements.

- 2) Bi-Weekly Pay Update. On March 25 employees will receive 77% of a month's salary. Beginning April 1, employees will be paid for the previous two weeks worked.
- 3) Pay & Classification Update. The Board should receive a report on the Pay & Classification Study on April 18, 2011.
- 4) Budget Update. The Department Head work sessions start the first of April.
- 5) Munis Update. The Munis update is being done. Yadkin County contracts with a Munis expert that works for Iredell County and he will be able to work with us more.
- 6) Yadkin Schools/Yadkin County (Consolidate Services Review). County Manager Aaron Church, Lisa Hughes, and Todd Vestal met with the School Superintendent and other School personnel to look at services that could be consolidated to save on costs. There don't see a lot of savings on IT related services right now. There may be some savings in transportation maintenance. Todd Vestal is going to visit Donald Hawks to see how they do things at the Yadkin Schools.
- 7) Resolutions for Property Acquisition. County Manager Church asked the Board to disregard the two resolutions included in the Agenda packet. They are being replaced with a single Resolution that covers both pieces of property. The two pieces of property have been researched to make sure the titles are clean. The two properties total 1.36 acres and are zoned B3 allowing for correctional facilities and public safety facilities. The Town Manager agrees it is appropriate for correctional facilities and public safety facilities. The Town of Yadkinville has a Resolution to provide storm water management for these sites in the event a correctional facility is built there and to ensure there is adequate public parking. One parcel, located on Van Buren street, is 0.45 acres and is owned by Hubert and Norma Jean Dunn. The other parcel, located on Hemlock street, is 0.91 acres and is owned by Norris Dale Mathis and Betty Ruth Mathis. The price for the two properties is \$260,000.00 that includes \$10,000.00 for expenses related to the purchase, such as legal fees and research. **Motion by Vice Chairman Zachary to adopt the Resolution Approving the Amount to be Spent for Land Related Costs for Future Expansion of Justice Related Buildings, Parking and Space. Commissioner Welborn second.**  
**Vote: 5/0.**  
See Attachment E for Resolution.

#### **COMMISSIONER COMMENTS**

Commissioner Hemric thanked everyone for coming out tonight, especially the citizens who spoke about the PART bus. He also thanked Lisa Hughes for her work.

Commissioner Welborn thanked everyone for coming. The room was full tonight. He thanked Lisa Hughes for her due diligence on the two items she presented tonight that saved the County money. He enjoyed the supper provided by the ladies from Cooperative Extension.

Vice Chairman Zachary thanked everyone for coming but would like to have seen them stay for more of the meeting. He wanted to express his appreciation for the volunteers who distribute food. It is nice to have the opportunity to recognize people who give of themselves to help others. People who give back to the Community are a great asset. He thanked the ladies from Cooperative Extension for the wonderful supper they provided tonight. He thanked Lisa Hughes and County Manager, Aaron Church for their hard work.

Commissioner Moxley stated he echoed the other Commissioners comments. There was a good crowd tonight but it thinned down as the meeting progressed. He thanked Lisa Hughes and County Manager Aaron Church for their hard work. He congratulated the retirees, Jim Graham and Tim Groce. He has known Tim Groce a long time. Tim Groce has worked in law enforcement for his whole career. Commissioner Moxley stated he knows Tim Groce will enjoy his retirement and having more time to spend with his granddaughter. Commissioner Moxley has helped with the food distribution and it is a very worthy cause. When you help distribute the food, you get to see where the food is going and how much it is needed. The volunteers can use help on distribution day because it is very busy so if anyone has free time on March 26, 2011 please come out and help with that.

Chairman Austin commended the Board on the way it works together. He believes the citizens feel welcome in the Board of Commissioners chamber and come to be a part of the process. He thanked the people for their faith in this Board. The Board represents the people and is there for the people's benefit.

Bobby Sullivan, Interim County Attorney, thanked the Board for having him here. He stated he looks forward to working with the Board and Yadkin County.

**Commissioner Welborn made a motion to go into Closed Session pursuant to (1)(3)(4)(5)(6) NCGS 143-318.11(a) in order to discuss Personnel Matters and to Protect Personnel Information that is Confidential under NCGS 153A-98 and to Discuss the Potential Location of Expansion of Industries or other Businesses in the County and to Establish the County's Negotiating Position for Acquiring Real Property and to Instruct the County Staff on that Position and to have a Privileged Consultation with Our Attorney including about two law suits: Yadkin County vs. Yadkin County Board of Adjustment, James Arnold, Eddie Dean Arnold, William Turner Arnold and also North Carolina Baptist Hospital vs. Hoots Memorial Hospital. Vice Chairman Zachary second.**  
**Vote: 5/0**

After a motion to come out of Closed Session was made, **Commissioner Moxley made a motion to extend the meeting to 12:00am. Vice Chairman Zachary second.**  
**Vote: 5/0**

**Commissioner Moxley made a motion to go into Closed Session pursuant to (1)(3)(4)(5)(6) NCGS 143-318.11(a) in order to discuss Personnel Matters and to Protect Personnel Information that is Confidential under NCGS 153A-98 and to Discuss the Potential Location of Expansion of Industries or other Businesses in the County and to Establish the County's Negotiating Position for Acquiring Real Property and to Instruct the County Staff on that Position and to have a Privileged Consultation with Our Attorney including about two law suits: Yadkin County vs. Yadkin County Board of Adjustment, James Arnold, Eddie Dean Arnold, William Turner Arnold and also North Carolina Baptist Hospital vs. Hoots Memorial Hospital. Vice Chairman Zachary second.**  
**Vote: 5/0**

After a motion to come out of Closed Session was made, **Commissioner Moxley made a motion to authorize the County Manager to award bonuses up to \$500.00 out of the Employee Appreciation line item without Board approval and the County Manager is required to report it to the Board. Vice Chairman Zachary second.**  
**Vote: 5/0**

**Commissioner Moxley made a motion to Relocate Information & Assistant Services through the Home & Community Care Block Grant (HCCBG) currently being delivered by Yadkin County Elder Affairs to Yadkin Senior Services and appropriate the remaining County funds to Yadkin Senior Services. Commissioner Welborn second.**

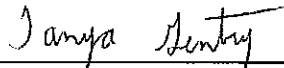
**Vote: 5/0**

**Commissioner Welborn made a motion to authorize the County Manager to circumvent the contract control form and enter into a contract with an outside company to provide Interim IT Director services not to exceed \$11,000.00, pending County Attorney's review, and authorize the County Manager to expend up to \$11,000.00 out of line item 1059000 51701 CONSULTING. Commissioner Hemric second.**

**Vote: 5/0**

**Commissioner Moxley made a motion to adjourn. Vice Chairman Zachary second.**

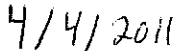
**Vote: 5/0**



Prepared by Tanya Gentry  
Deputy Clerk to the Board



Kevin Austin, Chairman  
Yadkin County Board of  
Commissioners



Date approved by the  
Yadkin County Board of Commissioners



Kevin Austin, Chairman of Board  
Frank Zachary, Vice Chairman  
Gilbert Hemric, Commissioner  
David Moxley, Commissioner  
Marion Welborn, Commissioner



Attachment A

Bobby Sullivan, Interim County Attorney  
Aaron Church, County Manager  
Tanya Gentry, Deputy Clerk to the Board

## Yadkin County Administrative Offices

### A RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS IN SUPPORT OF ROUTE 13 – YADKIN COUNTY EXPRESS

**WHEREAS**, PART is the administrative unit operating the Route 13 – Yadkin County Express bus line; and

**WHEREAS**, the Yadkin County Express is a vital link to hospitals, jobs, and quality of life for Yadkin County citizens; and

**WHEREAS**, the Yadkin County Express offers Yadkin County citizens a means of traveling to Forsyth Medical Center and Wake Forest University Medical Center; and

**WHEREAS**, the Yadkin County Express offers Yadkin County citizens an inexpensive, convenient mode of travel, especially with the recent dramatic price increase for fuel; and

**WHEREAS**, a greater number of Yadkin County citizens will have a need for the Yadkin County Express as fuel costs continue to rise even higher in the future; and

**WHEREAS**, the soon to open Park & Ride lot in Yadkinville will increase visibility and convenience of the service; and

**WHEREAS**, the Yadkin County Express reduces traffic congestion, accidents, and air pollution while offering Yadkin County citizens a comfortable, stress free mode of travel; and

**WHEREAS**, Yadkin County citizens are expressing their need to keep the Yadkin County Express running and are requesting support from the Yadkin County Board of Commissioners; and

**WHEREAS**, Yadkin County citizens have stated,

*“There are a lot of upset people, many of whom are single income families who ride the bus; I could not ride until recently and I didn’t know how nice these buses are and the amount of savings I am seeing from riding it; these are not your typical city buses”; and*

*“Past ridership was low according to PART statistics, but I wonder how much these statistics are, and will be, changing, given gas increases”; and*

*“What a tragedy to see this happen; I am one of the original riders of the PART bus and have watched the ridership increase from the original 3 riders to what it is now”; and*

**BE IT FURTHER RESOLVED** that the Yadkin County Board of Commissioners encourages PART to reconsider its decision to eliminate the Yadkin County Express. This Resolution was approved by the Yadkin County Board of Commissioners and its return to PART was authorized.

**Adopted by the Yadkin County Board of Commissioners on the 21<sup>st</sup> day of March, 2011.**

\_\_\_\_\_  
Kevin Austin, Chairman  
Yadkin County Board of Commissioners

ATTEST: \_\_\_\_\_  
Aaron Church, Clerk to the Board

**RESOLUTION**  
**Dissolving the Northwest Piedmont Council of Governments**  
**and**  
**Providing for Distribution of Assets and Obligations**

**WHEREAS**, the Northwest Piedmont Council of Governments was organized in July 1979; and

**WHEREAS**, the Northwest Piedmont Council of Governments, is a regional council of governments authorized by NCGS 160A, Article 20, Part 2 Regional Councils of Governments; and

**WHEREAS**, the Northwest Piedmont Council of Governments is designated by the Secretary of the Department of Administration as the Lead Regional Organization for North Carolina multi-county planning Region I; and,

**WHEREAS**, as of today's date the Northwest Piedmont Council of Governments consists of twenty-seven member governments shown in Attachment A to this Resolution including the counties of Davie, Forsyth, Stokes, Surry, and Yadkin Counties and twenty-two municipalities within those counties; and

**WHEREAS**, this association has proven the usefulness of regionalism as an efficient and effective platform for cooperative problem solving and program delivery; and,

**WHEREAS**, changes in the scope of political, economic, environmental, and transportation issues have led the membership of the Northwest Piedmont Council of Governments to consider the opportunities offered by a broader coalition of like-minded local government partners across the twelve-county Piedmont Triad region of North Carolina.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners of Yadkin County hereby agrees to dissolve the voluntary association heretofore known as the Northwest Piedmont Council of Governments at the end of fiscal year 2010-2011; and,

**BE IT FURTHER RESOLVED**, that such dissolution shall occur upon satisfaction of two conditions (1) adoption of this Resolution by all current member governments as required by Article X of the Charter and (2) formation of the successor council of governments pursuant to NCGS 160A, Article 20, Part 2 as provided for in the Formation and Membership Resolution for the Piedmont Triad Regional Council; and

**BE IT FURTHER RESOLVED**, that upon satisfaction of conditions one (1) and two (2) above, dissolution of the Northwest Piedmont Council of Governments shall become effective June 30, 2011; and

**BE IT FURTHER RESOLVED**, that all assets and obligations of the Northwest Piedmont Council of Governments, Multi-County Planning Region I, shall transfer to the successor regional council, the newly formed Piedmont Triad Regional Council.

**IN WITNESS WHEREOF**, this resolution is adopted this the \_\_\_\_\_ of \_\_\_\_\_ 2011.

ATTEST:

COUNTY OF YADKIN:

BY: \_\_\_\_\_

BY: \_\_\_\_\_

**RESOLUTION**  
**Formation and Membership in the**  
**Piedmont Triad Regional Council**

**WHEREAS**, the Piedmont Triad Council of Governments, multi-county planning Region G, serves the region encompassing Alamance, Caswell, Davidson, Guilford, Montgomery, Randolph, and Rockingham counties and thirty-nine municipalities within those counties; and

**WHEREAS**, the Northwest Piedmont Council of Governments, multi-county planning Region I, serves the region encompassing Davie, Forsyth, Stokes, Surry, and Yadkin counties and twenty-two municipalities within those counties; and

**WHEREAS**, the two councils of governments have individually and jointly studied the benefits of merger to form a new Piedmont Triad Regional Council which would be the successor council of governments to the two existing entities and which, pursuant to this Resolution, would encompass the twelve-county Piedmont Triad region; and

**WHEREAS**, the benefits of merging the two regional councils include:

- Designation of one Lead Regional Organization for the Triad region consistent with state policy on regions since 1971;
- A larger and more unified voice for Triad local governments at the state and national levels;
- Broader scope of services to member governments, based on the strengths of each existing COG;
- Efficiency of shared overhead leading to reduced fees for contract services to members;
- Alignment of the region's two local government organizations to reflect common economic, land, water, transportation, and air quality conditions.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners of Yadkin County hereby joins with other local governments throughout the twelve-county region in adopting the Charter of the Piedmont Triad Regional Council (attached as Attachment A and incorporated herein); and

**BE IT FURTHER RESOLVED**, that establishment of the Piedmont Triad Regional Council shall require adoption of this Resolution by each board of county commissioners in the twelve-county region or adoption by the governing bodies of one or more municipalities whose combined populations represent at least 50% of the population of each county on or before March 31, 2011; and

**BE IT FURTHER RESOLVED**, that upon sufficient votes by units of local government as required above, the Piedmont Triad Regional Council shall be established as the council of governments for the Piedmont Triad region effective July 1, 2011; and

**BE IT FURTHER RESOLVED**, that sufficient votes by units of local government as required above, will be deemed a petition to the Secretary of the North Carolina Department of Administration to re-draw regional boundaries, as authorized in G.S. G.S.143-341(6)(i), for a twelve-county Piedmont Triad region effective July 1, 2011.

**IN WITNESS WHEREOF**, this resolution was adopted this the \_\_\_\_\_ day of \_\_\_\_\_ 2011.

**ATTEST:**

**COUNTY OF YADKIN:**

**BY:** \_\_\_\_\_

**BY:** \_\_\_\_\_

## RESOLUTION

## RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the County of Yadkin, North Carolina desires to refinance the Flood and Erosion Control –Deep Creek Watershed Project (the “Project”) to better serve the citizens of Yadkin County; and

WHEREAS, The County of Yadkin desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Yadkin County, North Carolina, meeting in regular session on the 21<sup>st</sup> day of March, 2011, make the following findings of fact:

1. The proposed contract is necessary or expedient because it allows the County to reduce debt service payments for this project.
2. The proposed contract is preferable to a bond issue for the same purpose because this project was originally financed through installment financing and the project does not generate revenue to support revenue bonds.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because they are less than what the County's current debt service is for this project.
4. The County of Yadkin County is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Finance Officer is hereby authorized to act on behalf of the County of Yadkin County in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 21st day of March, 2011.

The motion to adopt this resolution was made by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_ and passed by a vote of \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

This is to certify that this is a true and accurate copy of Resolution \_\_\_\_\_ Adopted by the  
Yadkin County Board of Commissioners on the 21<sup>st</sup> day of  
March, 2011.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

**RESOLUTION APPROVING THE AMOUNT TO BE  
SPENT FOR LAND AND RELATED COSTS FOR FUTURE  
EXPANSION OF JUSTICE RELATED BUILDINGS,  
PARKING AND SPACE.**

**WHEREAS**, the provisions of N.C.G.S. 153A-11, 153A-158, and 153A-12 provides the authority to counties to contract and purchase real property which requires a resolution duly adopted by the County Commissioners at a legally held session.

**WHEREAS**, the Yadkin County Board of Commissioners proposes to purchase two sites containing a total of approximately 1.36 acres located in Yadkinville for expansion of justice related buildings, parking and space.

**WHEREAS**, the 1.36 acres located in Yadkinville are Zoned B-3 (Central Business) which allows for Correctional Facility / Jail, Public Safety Facilities, and Public Buildings, etc as provided by the Yadkinville Town Manager, Joseph Sloop in ATTACHMENT A.

**WHEREAS**, the Town of Yadkinville resolved to facilitate a Yadkin County decision to keep the jail in downtown by providing storm water management for the site, closing or partially closing adjacent street(s), and ensuring that adequate parking for the facility and public is available as shown in ATTACHMENT B.

**WHEREAS**, the proposed sites consist .45 acres owned by Hubert Dunn and Norma Jean Dunn, and further identified as VAN BUREN STREET, YADINVILLE, NC 27055H-1188; PIN 5817 (17) 02 6292; PRN 13327; Van (.45 acres) Buren Street North Liberty Township, Yadkin County, North Carolina; and .91 acres owned by Norris Dale Mathis and Nettie Ruth further identified as 220 HEMLOCK STREET, YADKINVILLE, 27055 --- H-1187; A-08536; PIN 5817 (17) PRN 133326; (.91 acres) 220 Hemlock Street) North Liberty Township, Yadkin County, North Carolina.

**WHEREAS**, the total proposed purchase price for the above-described property and related costs is \$260,000 and the Yadkin County Board of Commissioners has unanimously approved the purchase of the above-described property. The county will pay Sixty Two Thousand and 00/100 Dollars (\$62,000) for the .45 acres at VAN BUREN STREET and One Hundred and Eighty Eight and 00/100 Dollars (\$188,000) for the .91 acres at 220 HEMLOCK STREET. The remaining Ten Thousand and 00/100 Dollars (\$10,000) may be spent for related costs such as legal fees and research.

**WHEREAS**, funds for the purchase of sites and for related cost are appropriated in the Jail Capital Project fund.

**NOW, THEREFORE, BE IT RESOLVED**, that the Yadkin County Board of Commissioners hereby approves the amount of Two Hundred and Sixty Thousand and

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RESOLUTION APPROVING THE AMOUNT TO BE  
SPENT FOR LAND AND RELATED COSTS FOR FUTURE  
EXPANSION OF JUSTICE RELATED BUILDINGS, PARKING AND SPACE  
March 21, 2011

00/100 Dollars (\$260,000) to be expended by the Yadkin County Manager for approximately 1.36 acres of land and related costs which is located in Yadkinville, North Carolina for expansion of justice related buildings, parking and space.

**Adopted by the Yadkin County Board of Commissioners on the 21<sup>st</sup> day of March, 2011.**

\_\_\_\_\_  
Kevin Austin, Chairman  
Yadkin County Board of Commissioners

ATTEST: \_\_\_\_\_  
Aaron Church, Clerk to the Board